

Yeas and nays called for, and motion to adjourn lost by the following vote:

Yeas—Baker, Bell, Cole, Dillard, Dohoney, Evans, Gaines, Hall, Pickett, Rawson, Shannon, Swift--12.

Nays—Mr. President, Broughton, Douglas, Ford, Hertzberg, Hillebrand, Mills, Parsons, Pettit, Pridgen, Ruby, Saylor, Tendick--13.

On motion of Senator Tendick, the Senate at 6 o'clock P. M. adjourned to 9 A. M. to-morrow.

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### SIXTY-SIXTH DAY.

SENATE CHAMBER,  
AUSTIN, TEXAS, Saturday, Dec. 2, 1871. }

Senate met pursuant to adjournment. President Flanagan presiding. Roll called. No quorum present.

Absent—Senators Bell, Bowers, Broughton, Douglas, Dohoney, Hall, Hertzberg, Mills, Pettit, Pridgen, Pyle, Rawson, Saylor and Shannon.

Absent, excused—Senator Fountain.

The Sergeant-at-Arms being dispatched for the absentees, Senators Broughton, Douglas, Dohoney, Hall, Hertzberg, Mills, Pettit, Saylor and Shannon appeared and answered to their names.

Quorum present.

Prayer by the Chaplain.

On motion of Senator Gaines, the prayer by the Chaplain, of this morning, was ordered to be spread upon the minutes.

### PRAYER BY THE CHAPLAIN, DECEMBER SECOND.

On the last day of this session—its closing hours—we once more worship the God of law and order. When we retire from this hall to journey north and south, east and west may the Lord be our shepherd that we shall not want. Lead us beside still waters, and make us to lie down in green pastures. And may goodness and mercy follow us all the days of our lives. And while we may retire to private life may many of its quiet hours be devoted to the reading of the word of God, and having entered within our closets in praying to our Father who seeth in secret. This hall is still draped

in mourning ; and as we are about to take the parting hand we recall the forms of brethren whose faces we see, not whose voices we hear, not whose friendly hand we grasp, not in brotherly love. And when the summon comes for us to follow on after them to our last long home, may we "fall asleep in the arms of Jesus" and "wake up in Heaven ;"

Where the saints of all ages in harmony meet,  
Their Saviour and brethren transported to greet,  
And the anthems of rapture unceasingly roll,  
And the smile of the Lord is the feast of the soul.

And before final adjournment we once more write our prayers for the blessings of the Lord to rest upon the bereaved families of our departed brethren. May the Lord be a father to the fatherless, and a husband to the widow. Oh, grant that faith which submits to God's will, and that "hope which is as an anchor to the soul both sure and steadfast," we beg the merits of thy Son, our Saviour. Amen.

Message from the House by the Chief Clerk transmitting for concurrence the following House bills ;" No. 913, "An act to incorporate the Lee Fire Engine Company No. 5, of the city of Galverton ;" No. 963, "An act to incorporate the Wallace Prairie Real Estate Joint Stock Company ;" No. 951, "An act to establish uniform rates of toll, to be charged and collected by proprietors of grist and flour mills, in the State of Texas."

Under direction of the President, the Secretary carried to the House for signature of the Speaker, the following enrolled Senate bills: No. 576, "An act to amend the fifth and thirty-second sections of an act entitled 'an act to give effect to the several provisions of the Constitution concerning taxes,' approved April 22, 1871 ;" No. 524, "An act to incorporate the Point Isabel City Company ;" No. 579, "A bill to be entitled 'an act to incorporate the Colorado and Post Oak Island Railroad Company ;" No. 532, "An act to incorporate the Gatesville Bridge Company ;" No. 158, "An act to incorporate the Houston Cooperage and Manufacturing Company ;" No. 506, "An act to incorporate the Galveston Paving Company ;" No. 157, "An act to incorporate the Cherokee Mining Company ;" No. 543, "An act granting to Dan Egbert the privilege of constructing and keeping a toll bridge and ferry across the Neches river ;" No. 376, "An act to establish a ferry across the Sabine river, at or near Red Rock, county of Upshur ;" Senate joint resolution No. 46, "Joint resolution prescribing the duties of the Inspector of the State penitentiary ;" Senate bills Nos. 455, to be entitled "An act to authorize Mrs. W. E. Weaver, her associates and assigns, to erect a toll bridge across Rock creek, in Hopkins

county;" No. 592, "An act to repeal section seven of 'an act to give effect to the several provisions of the Constitution concerning taxes, approved April 22, 1871, as amended by an act amendatory of and supplemental to an act to give effect to the several provisions of the Constitution concerning taxes,' approved April 25, 1871;" Senate joint resolution No. 48, "Joint resolution to secure a correct index to the general and special laws passed at the present session of the Legislature;" Senate bills Nos. 490, "An act to incorporate the Mechanics' Building Association of Jefferson, Texas;" No. 545, "An act creating the Colorado Real Estate and Banking Company;" No. 347, "An act to incorporate the Houston Dollar Savings Bank;" No. 520, "An act for the relief of the heirs of Joseph Kerr and Nathaniel M. Kerr;" No. 79, "An act to amend an act entitled 'an act granting pensions to the surviving veterans of the revolution which separated Texas from Mexico;" No. 494, "An act to incorporate the Star Water works Company;" substitute Senate bill No. 573, "An act to prohibit the sale of all intoxicating or spirituous liquors within certain limits of Thorpe Springs Male and Female Seminary in Hood county;" No. 292, "An act to incorporate the Southwestern Express and Transportation Company."

Enrolled bills signed by the Speaker, and returned to the Senate, and signed by the President in open session.

Message from the House by the Chief Clerk, Mr. Gallant, transmitting for signature of the President the following enrolled House bills, to-wit: No. 810, "An act concerning private corporations;" No. 653, "An act to punish certain offenses committed on Sunday;" No. 856, "An act to incorporate the Galveston Savings Bank and Trust Company."

Enrolled bills signed by the President in open session, and returned to the House.

## BILLS AND RESOLUTIONS.

By Senator Pickett: a bill (Senate bill No. 593) to be entitled "An act for the relief of Hon. Lipscomb Norvall." Read first time, rules suspended, read second time, ordered engrossed and passed to a third reading.

On motion of Senator Mills, the rules were further suspended and the bill read third time and passed.

A special message from the Governor by his Private Secretary, Mr. Frank P. Britton, was announced as follows:

GOVERNOR'S OFFICE, }  
Austin, Dec. 1, 1871. }

To the Honorable Senate and House of Representatives of Texas:

GENTLEMEN: I have not thought it proper to return for reconsideration the act entitled "An act amendatory of and supplementary to an act entitled 'an act to encourage the speedy construction of a railway through the State of Texas to the Pacific Ocean,' " passed on the twenty-fourth day of May, 1871, and under the Constitution the same becomes a law after to-day. In my opinion the same objections, in a greater or less degree, lie to this as to the act to which it is amendatory, and I desire that there should be no misapprehension as to change of opinion in this respect on my part. I have herein not exercised the constitutional power of the veto, because these acts have already, on three occasions, when before the Houses, passed by more than a two-thirds majority, and to continue opposition to the will so often expressed by the two Houses would only be an unseemly contest.

This amendatory act is an improvement on the original, in respect that it allows more of the large subsidy to be used to encourage the building of the road through the Indian country, thus furnishing the best excuse for such expenditure by giving some protection to the frontiersman.

On the other hand, the provision in the fifth section, which authorizes a gauge for these roads different from that established by law in this State, is, it seems to me, a very objectionable feature. It looks to the adoption of what is called a narrow gauge for the great Pacific road of the South. I do not believe the Congress of the United States, in making the magnificent grant to aid a Southern Pacific road, intended that we should have a road of less value and lower class than the others to the north of us. The act of Congress, in section twelve, requires the company to complete "*a first class road in all its appointments.*" Texas could secure such a road by adhering to the lawful gauge.

The large donations from the State and the United States, as well as due consideration for the railroad connections and interests of this State and our sister Southern States, warrant us in demanding a first class road, but I greatly fear that said fifth section of this amendatory act will be taken as giving the sanction of Texas to an evasion of the spirit and intent of the act of Congress, and that these donations will be dissipated on an unsatisfactory experiment.

I make these suggestions with all respect for the honorable body which is now closing its official existence.

Very respectfully,

EDMUND J. DAVIS, Governor.

Message read, and on motion of Senator Mills, one thousand copies were ordered printed for the use of the Senate.

Senator Dohoney introduced the following resolution which was adopted :

WHEREAS, The Senators from the second and third districts, W. H. Swift and J. E. Dillard, were elected on the second, third, fourth and fifth of October last ; and

Whereas, the vote was counted on the twentieth of said month ; and

Whereas, Said Senators were here at that time to take their seats ; and

Whereas, Said Senators were not permitted to qualify until the thirty-first of said month ; therefore,

*Resolved*, That said Senators are entitled to nine more days' pay.

*Resolved*, That a certificate be issued to each of them for seventy-two dollars apiece in the usual manner.

A special committee from the House, consisting of Messrs. Evans and George, was announced, who presented the following message :

MR. PRESIDENT : In obedience to the order of the House of Representatives, we appear before you, and in the name of the House of Representatives, and of all the people of the State of Texas, we do impeach J. W. Oliver, Judge of the Thirty-third Judicial District of the State of Texas, of high crimes and misdemeanors in office ; and we further inform the Senate, that the House of Representatives will, in due time, exhibit particular articles of impeachment against him, and make good the same ; and in their name, we demand that the Senate take order for the appearance of the said J. W. Oliver, to answer said impeachment.

The President acknowledged the reception of the communication, and informed the committee that the Senate would take proper order therein, of which due notice would be given to the House of Representatives.

### UNFINISHED BUSINESS,

Viz. : Substitute House bill No. 747, "An act authorizing a loan to meet deficiencies in the revenue of the State." Read third time.

Senator Ruby moved the previous question, viz. : the passage of the bill. Previous question seconded.

The question then being, "Shall the main question now be put?" the yeas and nays were called for and the main question ordered by the following vote :

Yeas—Mr. President, Parker, Bell, Ford, Gaines, Hall, Hertzberg, Hillebrand, Mills, Parsons, Pettit, Pridgen, Ruby, Saylor, Tendency—15.

Nays—Bowers, Broughton, Cole, Dohoney, Douglas, Evans, Latimer, Pickett, Shannon, Swift—10.

The main question was then put, viz. : "Shall the bill pass?"

The yeas and nays were called for, and the bill passed by the following vote, and returned to the House :

Yeas—Baker, Bell, Douglas, Ford, Gaines, Hall, Hertzberg, Hillebrand, Mills, Parsons, Pettit, Pridgen, Ruby, Saylor, Tendick—15.

Nays—Bowers, Broughton, Cole, Dohoney, Evans, Latimer, Pickett, Shannon, Swift—9.

President Flanagan was excused from voting, having paired off with Senator Pyle, the former voting in the affirmative and the latter in the negative.

Senator Douglas moved to reconsider the vote just taken.

Senator Hall moved to lay that motion on the table.

Yeas and nays called for, and the motion to lay on the table carried by the following vote :

Yeas—Baker, Bell, Ford, Gaines, Hall, Hertzberg, Hillebrand, Mills, Parsons, Pettit, Pridgen, Rawson, Ruby, Saylor, Tendick—15.

Nays—Bowers, Broughton, Cole, Dohoney, Douglas, Evans, Latimer, Pickett, Shannon and Swift—10.

By leave, Senator Ruby submitted the following report of the Committee on Private Land Claims :

COMMITTEE ROOM, }  
Austin, Dec. 2, 1871. }

Hon. WEBSTER FLANAGAN,

President of the Senate :

SIR: Your Committee on Private Land Claims, to whom was referred House bill No. 646, "An act for the relief of B. H. Davis, assignee of T. J. Chambers, deceased," having no time to consider the same, instruct me to report the bill back to the Senate.

Respectfully,

G. T. RUBY, Chairman.

Report read and laid over under the rules.

[Senator Ruby called to the chair.]

A special committee from the House consisting of Messrs. Evans, Hawkins and Schlotman was announced, informing the Senate that the House had appointed a committee of three to inform his Excellency the Governor that the Speaker of the House and the President of the Senate would adjourn their respective bodies to-day at 12 M., and asking the appointment of a like committee on the part of the Senate.

The President appointed as such committee Senators Ruby, Parsons and Pyle.

[Senator Saylor called to the chair.]

Senator Pickett moved that a committee of three be appointed to take into consideration the message from the House in relation to the impeachment of Judge Oliver.

On motion of Senator Swift, the rules were suspended to take from file House bill No. 818, "An act to release Orange McCarty from paying State and county tax on the sale of groceries in the county of Angelina, State of Texas." Read first time.

Senator Gaines moved to indefinitely postpone the bill. Lost.

Senator Swift moved to suspend the rules to read the bill a second time.

Yeas and nays called for and the rules suspended by the following vote :

Yeas—Baker, Bowers, Cole, Ford, Hall, Hillebrand, Mills, Parsons, Pettit, Pyle, Rawson, Saylor, Swift, Tendick—14.

Nays—Dillard, Dohoney, Gaines, Hertzberg, Latimer, Shannon—6.

House bill No. 818 read second time and passed to a third reading.

On motion of Senator Pettit, the rules were further suspended and the bill read third time.

Senator Swift moved the passage of the bill.

Yeas and nays called for and the Senate refused to pass the bill by the following vote, two-thirds not voting in the affirmative :

Yeas—Bowers, Cole, Ford, Hertzberg, Mills, Parsons, Pettit, Pyle, Rawson, Ruby, Saylor, Swift—12.

Nays—Baker, Broughton, Dohoney, Evans, Hall, Hillebrand, Shannon, Tendick—8.

Senator Ruby submitted the following report of the Committee on Engrossed Bills :

COMMITTEE ROOM, }  
Austin, Dec. 2, 1871. }

Hon. WEBSTER FLANAGAN,

President of the Senate :

SIR: Your Committee on Engrossed Bills have examined and find correctly engrossed Senate bill No. 593, entitled "An act for the relief Hon. Lipscomb Norvall."

G. T. RUBY, Chairman.

Report read and received, and Senate bill No. 593 sent to the House for concurrence.

On motion of Senator Mills, the rules were suspended to take from file House bill No. 311, "An act to establish a Normal school at Harmony, Walker county, Texas." Read first time, and on motion of Senator Mills, referred to the Committee on Education.

By leave, Senator Gaines submitted the following report:

COMMITTEE ROOM, }  
Austin, Dec. 2, 1871. }

Hon. WEBSTER FLANAGAN,

President of the Senate:

SIR: Your select committee, to whom was referred the matter and resolutions providing for the employment of a clerical force to transcribe the journal of this body, have examined into the same, and respectfully recommend that the resolution herewith submitted be adopted as a substitute for the whole.

*Resolved*, That the Secretary be and he is hereby authorized to appoint two suitable persons to take charge of, transcribe, read and compare the journals of this body, prescribing for such work such length of time as may be absolutely necessary for its completion, not to exceed forty days. That said clerks so employed be allowed the rate of six dollars *per diem*, each, for such services. That the Secretary of the Senate draw his certificates for the *per diem* pay of such clerks so employed, for which, when approved by the President of the Senate, the Comptroller of Public Accounts is hereby authorized and required to issue his warrants on the State Treasurer, and the Treasurer shall pay the same out of the contingent fund of the Senate, or if that shall have been exhausted, then from the last appropriation for the mileage and *per diem* pay for the members, officers and employes of the Twelfth Legislature of the State of Texas.

MATTHEW GAINES,  
THOMAS H. BAKER.

Report and resolution read.

Senator Gaines moved to suspend the rules to consider the report and resolution.

Yeas and nays called for, and the Senate refused to suspend the rules by the following vote, two-thirds not voting in the affirmative:

Yeas—Mr. President, Baker, Ford, Gaines, Hall, Hillebrand, Parsons, Rawson, Ruby, Saylor, Tendick—11.

Nays—Bell, Bowers, Broughton, Cole, Dillard, Dohoney, Evans, Latimer, Pettit, Pickett, Swift—11.

### UNFINISHED BUSINESS.

House bill No. 290, "An act for the relief of John Hayman, his heirs or assigns." Read third time.

House bill No. 802, "An act to validate an act entitled 'an act for the relief of the heirs of Henry Roberts, deceased,' approved November 10, 1866." Read second time and passed to a third reading.

House bill No. 244, "An act to incorporate the town of Quitman, in Wood county." Read second time and passed to a third reading.

On motion of Senator Pettit, the rules were further suspended, and House bill No. 244 read third time and passed.

Senator Pridgen submitted the following report of the Committee on Enrolled bills:

COMMITTEE ROOM, }  
Austin, Dec. 2, 1871. }

Hon. WEBSTER FLANAGAN,

President of the Senate:

SIR: Your Committee on Enrolled Bills have examined and find correctly enrolled Senate bills: No. 490, entitled "An act to incorporate the Mechanics' Building Association;" No. 592, entitled "An act to repeal section seven of 'an act to give effect to the several provisions of the Constitution concerning taxes, approved April 22, 1871, as amended by an act amendatory of and supplemental to an act to give effect to the several provisions of the Constitution concerning taxes,' approved April 25, 1871;" No. 517, entitled "An act to incorporate the Cherokee Mining Company;" Senate joint resolution No. 48, "Joint resolution to secure a correct index to the general and special laws passed at the present session of the Legislature;" Senate bills Nos. 579, entitled "An act to incorporate the Colorado and Post Oak Island Railroad Company;" No. 376, entitled, "An act to establish a ferry on Red River, at or near Red Rock, county of Upshur;" No. 292, entitled "An act to incorporate the Southwestern Express and Transportation Company;" No. 158, entitled "An act to incorporate the Houston Cooperage and Manufacturing Company;" No. 532, entitled "An act to incorporate the Gatesville Brige Company;" No. 494, entitled "An act to incorporate the Star Water Works Company;" No. 524, entitled "An act to incorporate the Point Isabel City Company;" substitute Senate bill No. 573, entitled "An act to prohibit the sale of all intoxicating or spirituous liquors within certain limits of Thorpe Springs Male and Female Seminary, in Hood County;" Senate joint resolution No. 46, "Joint resolution prescribing the duties of the inspector of the State penitentiary;" Senate bills Nos. 520, entitled "An act for the relief of the heirs of Joseph Kerr and Nathaniel M. Kerr;" No. 79, entitled "An act to amend an act entitled 'an act granting pensions to the surviving veterans of the revolution which separated Texas from Mexico;" No. 576, "An act to amend the fifth and thirty-second sections of an act entitled 'an act to give effect to the several provisions of the Constitution concerning taxes,' approved April 22, 1871;" No. 543, entitled "An act granting to Dan Egbert the privilege of construct-

ing and keeping a toll bridge and ferry across the Neches river;" No. 506, entitled "An act to incorporate the Galveston Paving Company," and to-day at 10 o'clock A. M. presented the same to the Governor for his approval.

Respectfully,

B. J. PRIDGEN, Chairman.

Report read and received.

On motion of Senator Hall, the rules were suspended to take from file House bill No. 909, "An act to incorporate the Cosmopolitan Club, of the city of Galveston, Texas." Read first time and passed to a second reading.

On motion of Senator Hall, the rules were further suspended and House bill No. 909 read second time and passed to a third reading.

On motion of Senator Hall, the rules were further suspended and House bill No. 909 read third time, passed and returned to the House.

### UNFINISHED BUSINESS.

House bill No. 443, "An act to incorporate the Northern Bank of Texas." Read second time.

House bill No. 488, "An act to incorporate the town of Lancaster, in Dallas county." Read second time.

House bill No. 426, "An act to incorporate the Seago Mills Manufacturing Company." Read second time.

House bill No. 414, "An act to amend an act entitled 'an act to incorporate the Rio Grande Railroad Company,' approved August 13, 1870." Read second time.

Senator Dohoney arose to a question of privilege, and made the point of order that the adoption of the report of the Committee on Finance on substitute House bill No. 747, "An act authorizing a loan to meet deficiencies in the revenue of the State," recommending that the Senate recede from its amendments thereto, did not affect those amendments, but that they could only be nullified by a reconsideration of the vote by which they were each adopted.

The President ruled the point of order not well taken, and that the amendments had been rescinded by the adoption of the report.

Senators Bowers and Dohoney gave notice that they would enter their protest against the proceedings had on substitute Senate bill No. 747, and would ask to have the same spread upon the minutes of the Senate.

[President Flanagan resumed the chair.]

On motion of Senator Hillebrand, the rules were suspended to take from file House bill No. 242, "An act for the relief of Christian Boehringer." Read second time and passed to a third reading.

Senator Dillard moved to lay House bill No. 242 on the table. Motion lost.

On motion of Senator Hillebrand, the rules were further suspended and House bill No. 242 read third time and passed and sent to the House.

Special message from the Governor by his Private Secretary, Mr. Britton as follows:

GOVERNOR'S OFFICE, }  
Austin, Texas, Dec. 2, 1871. }

To the Honorable Senate and House of Representatives of the State of Texas:

GENTLEMEN: I have the honor to inform you that the following named bills and resolutions have been received by me and approved, to-wit:

Senate bill No. 4, "An act to incorporate the Island City Gas Company," approved November 17, 1871.

Senate bill No. 212, "An act to incorporate G. M. Johnson Lodge No. 97, Independent Order of Odd Fellows at Starville," approved November 17, 1871.

Senate bill No. 361, "An act to incorporate the Bryan Horticultural Society," approved November 17, 1871.

Senate bill No. 453, "An act to organize and incorporate the Paris and Bonham Tap of the Missouri, Kansas and Texas Railroad," approved November 17, 1871.

Senate bill No. 460, "An act to provide for, and regulate mechanics', contractors', builders' and other liens in the State of Texas," approved November 17, 1871.

Senate bill No. 473, "An act to incorporate the Texas Agricultural, Horticultural, Mechanical and Industrial Association of Waco," approved November 17, 1871.

Senate bill No. 541, "An act to increase the area and enlarge the boundary of Lamar county," approved November 17, 1871.

Senate bill No. 154, "An act to amend an act entitled 'an act to provide for districting the State of Texas into judicial districts,'" approved July 2, 1871, approved November 25, 1871.

Senate bill No. 440, "An act to amend the twenty-second section of 'an act to provide for districting the State of Texas into judicial districts,'" approved November 25, 1871.

Senate bill No. 441, "An act to amend the twenty-third section of 'an act prescribing the time of holding the district courts in the several judicial districts in the State,'" approved August 10, 1870," approved November 25, 1871.

Senate bill No. 472, "An act to incorporate the Texas European Steamship and Land Company," approved November 25, 1871.

Senate bill No. 536, "An act to amend an act entitled 'an act to provide for districting the State of Texas into judicial districts,' approved July 2, 1870," approved November 25, 1871.

Senate bill No. 537, "An act to amend an act entitled 'an act prescribing the times of holding the district courts in the several judicial districts of the State,' approved August 10, 1870," approved November 25, 1871.

House bill No. 110, "An act to incorporate the Texas Leather and Manufacturing Company," approved November 25, 1871.

House bill No. 118, "An act to incorporate the Excelsior Real Estate and Building Association," approved November 25, 1871.

House bill No. 171, "An act to incorporate the Hebrew Benevolent Society of Brownsville, in Brownsville, Cameron county, Texas," approved November 25, 1871.

House bill No. 207, "An act to incorporate the Central Texas Agricultural and Mechanical Association," approved November 25, 1871.

House bill No. 273, "An act making an appropriation for printing five hundred copies of the rules reported for the Supreme and District Courts, and five hundred copies of the circular letter of the clerk of the Supreme Court," approved November 25, 1871.

House bill No. 446, "An act to muster into service minute men for the protection of the frontier," approved November 25, 1871.

House bill No. 595, "An act to incorporate the Houston Tannery and Leather Manufacturing Company," approved November 25, 1871.

House bill No. 714, "An act to incorporate the St. Marys Institute," approved November 25, 1871.

House bill No. 748, "An act to incorporate the North Texas Collegiate Institute, at Bonham," approved November 25, 1871.

House bill No. 749, "An act to incorporate the Bryan Real Estate, Building and Joint Stock Association, of Bryan, Texas," approved November 25, 1871."

House bill No. 767, "An act for the relief of Colonel Thomas William Ward," approved November 25, 1871.

House bill No. 773, "An act authorizing the transcription of the surveyor's records of Comanche county," approved November 25, 1871.

House bill No. 798, "An act to incorporate the Victoria Society of Washington county," approved November 25, 1871.

House bill No. 819, "An act to amend 'an act prescribing the times of holding the courts in the several judicial districts in the State,' approved August 18, 1871," approved November 25, 1871.

House bill No. 284, "An act to amend section two hundred and

twenty-eight of 'an act prescribing the mode of proceeding in district courts in matters of probate,' approved August 15, 1870," approved November 25, 1871.

House bill No. 833, "An act to incorporate the Round Mountain Educational Company, in Blanco county, Texas," approved November 25, 1871.

House bill No. 840, "An act to incorporate the Casino Society of Yorktown," approved November 25, 1871.

House bill No. 844, "An act to incorporate the Travis County Agricultural, Mechanical and Blood Stock Association," approved November 25, 1871.

House bill No. 866, "An act to encourage the manufacture of cotton and wool in this State," approved November 25, 1871.

House bill No. 873, "An act to authorize the County Court of Wharton county to levy a tax to build a jail at the county seat," approved November 25, 1871.

House bill No. 940, "An act to authorize a special term of the District Court within and for the county of Houston, Third Judicial District, State of Texas," approved November 25, 1871.

Senate bill No. 507, "An act in relation to county bridges," approved November 28, 1871.

Senate bill No. 518, "An act to authorize the County Court of Marion county to issue coupon interest-bearing bonds for the building of a court house and jail for said county, and to levy a tax for the same," approved November 28, 1871.

Senate bill No. 574, "An act to amend an act entitled 'an act to consolidate in one act and amend the several acts incorporating the city of Houston, in Harris county,' passed August 2, 1870," approved November 28, 1871.

House bill No. 815, "An act permanently establishing the county seat of Menard county," approved November 28, 1871.

House bill No. 938, "An act amendatory of section two of 'an act for ceding to the United States jurisdiction of certain lands in this State for public purposes,' approved December 19, 1849," approved November 28, 1871.

House bill No. 785, "An act to incorporate the North Texas Agricultural, Mechanical and Blood Stock Association," approved November 28, 1871.

House bill No. 867, "An act supplementary to an act supplementary to an act supplementary and amendatory of 'an act to regulate railroad companies, approved February 7, 1853,' approved December 19, 1857," approved November 28, 1871.

House joint resolution No. 28, "Joint resolution to defray the expenses of printing the reports of all officers who are required to

report to the Governor or the Legislature, by section five of 'an act regulating public printing,' approved August 13, 1870," approved November 29, 1871.

House bill No. 99, "An act to incorporate the Cleburne Cross Timber Railway Company," approved November 29, 1871.

House bill No. 114, "An act to incorporate the Jefferson City Street Railway Company," approved November 29, 1871.

Senate concurrent resolution No. 10, "Concurrent resolution in relation to the appointment of committees to attend the centennial celebration to be held at Philadelphia, Pennsylvania, in the year 1876," approved November 29, 1871.

Senate bill No. 435, "An act to incorporate the town of Dresden, in Navarro county," approved November 29, 1871.

Senate bill No. 446, "An act to authorize the County Court of Galveston county to issue interest bearing bonds for the purpose of funding the present outstanding indebtedness of said county," approved November 29, 1871.

Senate bill No. 489, "An act to incorporate the Texas Live Stock Insurance Company," approved November 29, 1871.

Senate bill No. 496, "An act supplemental to 'an act in relation to the location, survey and return of genuine land certificates,' passed April 25, 1871," approved November 29, 1871.

Senate bill No. 508, "An act amendatory of and supplemental to 'an act to give effect to the several provisions of the Constitution concerning taxes,' approved April 22, 1871," approved November 29, 1871.

Senate bill No. 511, "An act for the relief of Dillard Cooper," approved November 29, 1871.

Senate bill No. 513, "An act to reorganize the town of Bryan, in Brazos county, Texas, and incorporate said town as the city of Bryan," approved November 29, 1871.

Senate bill No. 515, "An act making an appropriation to defray the printing and contingent expenses of the Twelfth Legislature of the State of Texas," approved November 29, 1871.

Senate bill No. 529, "An act supplementary to and amendatory of an act entitled 'an act to organize and maintain a system of public free schools in the State of Texas,' approved April 24, 1871," approved November 29, 1871.

House bill No. 809, "An act to incorporate the Lone Star Ferry Company," approved November 29, 1871.

House bill No. 838, "An act to amend the third section of 'an act to incorporate the Galveston Bay Dredging Company,' passed June 30, 1870," approved November 29, 1871.

House bill No. 932, "An act to amend section one and to repeal

section six of 'an act to authorize county courts to levy a road tax, and to improve roads and bridges,' passed August 4, 1870," approved November 29, 1871.

House bill No. 933, "An act to repeal sections one, two and three of 'an act providing for the payment of the outstanding indebtedness of the several counties,' passed July 21, 1870," approved November 29, 1871.

House bill No. 936, "An act to regulate the practice in the Supreme Court," approved November 29, 1871.

House bill No. 19, "An act to incorporate the Indianola Dredging Company, as herein specified," approved December 1, 1871.

House bill No. 634, "An act to incorporate the Galveston and Eastern Texas Railway Company," approved December 1, 1871.

House bill No. 732, "An act validating certain land certificates," approved December 1, 1871.

House bill No. 787, "An act to incorporate the Arrow Fast Freight and Transportation Company," approved December 1, 1871.

House bill No. 848, "An act authorizing the mayor and board of aldermen of the city of Brenham to dispose of the alleys of said city," approved December 1, 1871.

House bill No. 858, "An act to incorporate the Home Insurance and Trust Company, of Texas," approved December 1, 1871.

House bill No. 869, "An act to incorporate the town of Comanche, in Comanche county, Texas," approved December 1, 1871.

House bill No. 908, "An act to provide for the division of the records in Refugio and Aransas counties, and their transfer to their proper counties," approved December 1, 1871.

House bill No. 931, "An act amendatory of section five of 'an act to give effect to the several provisions of the Constitution concerning taxes,' approved April 22, 1871," approved December 1, 1871.

House bill No. 934, "An act to repeal 'an act to authorize the police courts of counties to levy and collect a special tax for the repair and completion of public buildings,' passed August 5, 1870," approved December 1, 1871.

House bill No. 937, "An act to incorporate the Pecos Irrigating, Manufacturing and Live Stock Company," approved December 1, 1871.

House bill No. 956, "An act to incorporate the Young Men's Irish Benevolent and Literary Association, of Galveston, Texas," approved December 1, 1871.

House bill No. 957, "An act to amend an act entitled 'an act to regulate the times of holding the courts in the Eleventh Judicial District,' approved October 24, 1871," approved December 1, 1871.

Senate bill No. 405, "An act supplementary to the act entitled 'an act to adopt and establish a penal code for the State of Texas,'" approved August 28, 1856," approved December 1, 1871.

Senate bill No. 461, "An act making appropriations for the support of the State government for deficiencies for the fiscal year beginning September 1, 1871, and ending August 31, 1872," approved December 1, 1871.

Senate bill No. 465, "An act to amend an act entitled 'an act to incorporate the Island City Real Estate and Homestead Association of Galveston,'" approved December 1, 1871.

Senate bill No. 481, "An act to incorporate the Library Building Association, of Galveston," approved December 1, 1871.

Senate bill No. 526, "An act to amend an act entitled 'an act to amend an act incorporating the City of Jefferson, in Marion county, approved September 11, 1866,' approved August 3, 1870," approved December 1, 1871.

Senate bill No. 535, "An act to amend section number eight of 'an act to amend sections one, two, three, five, six, eleven, twelve, thirteen, fifteen, nineteen and twenty of an act to incorporate the Waco Tap Railroad Company,'" approved December 1, 1871.

Senate bill No. 548, "An act to authorize the county of Calhoun to improve the channel from the Gulf into Matagorda Bay, and to create a bonded debt for that purpose," approved December 1, 1871.

Senate bill No. 553, "An act for the relief of the heirs of N. A. Bonzano, deceased," approved December 1, 1871.

Senate bill No. 566, "An act to authorize and empower the corporate authorities of the town of Palestine to extend the streets and alleys of said town to the exterior limits of the corporation, and to lay out and make new streets and alleys within the limits of said corporation," approved December 1, 1871.

Senate bill No. 558, "An act to incorporate the Jefferson Real Estate, Trust and Dollar Savings Company," approved December 1, 1871.

Senate bill No 578, "An act to incorporate the Dollar Savings Bank of Breuham," approved December 1, 1871.

Senate bill No. 592, "An act to repeal section seven of 'an act to give effect to the several provisions of the Constitution concerning taxes, approved April 22, 1871, as amended by an act amendatory of and supplemental to an act to give effect to the several provisions of the Constitution concerning taxes,' approved April 25, 1871," approved December 1, 1871.

House bill No. 552, "An act further regulating juries," approved December 1, 1871.

House bill No. 823, "An act to amend section nineteen of 'an

act to regulate ferries,' approved January 23, 1850," approved December 1, 1871.

House bill No. 831, "An act to amend an act approved August 13, 1870, incorporating the town of Bremond," approved December 1, 1871.

House bill No. 836, "An act to incorporate the Trinity River Navigation Company," approved December 1, 1871.

House bill No. 868, "An act to incorporate the Odd Fellows Hall Association, of Bryan, Texas," approved December 1, 1871.

House bill No. 888, "An act to incorporate the Northwestern Texas Land Company," approved December 1, 1871.

House bill No. 895, "An act to amend section thirty-four of 'an act to organize the courts of justices of the peace and county courts, and to define their jurisdiction and duties,' approved August 13, 1870," approved December 1, 1871.

House bill No. 905, "An act to incorporate the Bryan Manufacturing Company, of Texas," approved December 1, 1871.

House bill No. 962, "An act to incorporate the Tyler Tap Railroad Company," approved December 1, 1871.

House bill No. 962, (?) "An act to amend an act entitled 'an act to incorporate the Eastern Texas Railroad Company,' approved January 10, 1860," approved December 1, 1871.

Senate bill No. 450, "An act to incorporate the Marshall Salamander Fire Company No. 1, of the city of Marshall, Texas," approved December 1, 1871.

Senate bill No. 523, "An act to incorporate the Houston Turn Verein," approved December 1, 1871.

Senate bill No. 562, "An act to incorporate the North Texas Land Company," approved December 1, 1871.

House bill No. 565, "An act further prescribing the time of holding the terms of the District Courts in the Eighth Judicial District," approved December 1, 1871.

Senate bill No. 583, "An act to authorize the city council of the city of Austin to levy and collect a special tax for the establishment, support and maintenance of a fire department in said city," approved December 1, 1871.

Senate bill No. 586, "An act to authorize the surveyor of Johnson county to transcribe certain books in his office," approved December 1, 1871.

House bill No. 628, "An act to authorize and empower the County Court of Burleson county to levy and collect a special tax for the purpose of building a court house and jail," approved December 2, 1871.

House bill No. 877, "An act to incorporate the Houston Savings Bank," approved December 2, 1871.

House bill No. 887, "An act to authorize the late State Treasurer to institute suit against the State of Texas," approved December 2, 1871.

House bill No. 915, "An act to authorize David Colley, his associates and successors, to construct, own and keep a toll bridge on White Oak bayou in Titus county," approved December 1, 1871.

House bill No. 925, "An act amendatory to an act entitled 'an act to provide for the organization of the State Lunatic Asylum, and for the care and maintenance of the insane,' approved February 5, 1858," approved December 2, 1871.

House bill No. 939, "An act relative to the approval and payment of claims against the State for repairs, fixtures and furniture of the Governor's mansion," approved December 2, 1871.

House bill No. 961, "An act to incorporate the Bell county Agricultural, Mechanical and Blood Stock Association," approved December 2, 1871.

House bill No. 968, "An act to authorize the city council of the city of Galveston to issue and negotiate the bonds of the city of Galveston for the purpose of paying the overdue debt of said city, and to improve the streets of said city by grading, shelling, paving and repairing the same, and building culverts and breakwaters, and to create a fund to pay the interest and principal of said bonds," approved December 2, 1871.

Senate joint resolution No. 46, "Joint resolution prescribing the duties of the Inspector of the State penitentiary," approved December 2, 1871.

Senate bill No. 292, "An act to incorporate the Southwestern Express and Transportation Company," approved December 2, 1871.

Senate bill No. 517, "An act to incorporate the Cherokee Mining Company," approved December 2, 1871.

Senate bill No. 524, "An act to incorporate the Point Isabel City Company," approved December 2, 1871.

House bill No. 886, "An act to incorporate the Capital City Club, of Austin, Texas," approved December 2, 1871.

House bill No. 582, "An act to amend section seven (7) of an act entitled 'an act to incorporate the Texas Banking and Insurance Company,' approved July 1, 1870," approved December 2, 1871.

House bill No. 652, "An act for the relief of Edward Delaney," approved December 2, 1871.

Respectfully,

EDMUND J. DAVIS, Governor.

The President appointed as a committee to attend the centennial celebration of the anniversary of independence, to be held at.

Philadelphia, Pennsylvania, Senators Parsons, Pyle and Tendick.

Special message from the Governor by his Private Secretary, Mr. Britton, was announced, as follows :

GOVERNOR'S OFFICE, }  
Austin, Dec. 2, 1871. }

To the Honorable Senate and House of Representatives, State of Texas :

GENTLEMEN : I have the honor to inform you that I have signed an act entitled "An act authorizing a loan to meet deficiencies in the revenue of the State."

Respectfully,

EDMUND J. DAVIS, Governor.

Message read.

Senator Cole offered the following resolution, which was adopted :

*Resolved*, That the Sergeant-at-Arms, and Thomas Beck, porter, be required to remain ten days after the adjournment of the present Legislature to put away the furniture of the Senate ; and the certificate of the Secretary of the Senate shall be sufficient authority for the Comptroller to draw his warrant on the Treasurer for the payment of the same.

Senator Saylor offered the following resolution, which was unanimously adopted :

*Resolved*, That the thanks of the Senate be hereby tendered Hon. Webster Flanagan, President of the Senate, for the able and impartial manner in which he has presided over the deliberations of this body.

At 12 o'clock M. President Flanagan declared the Senate adjourned *sine die*.

Attest :

CHAS. M. CAMPBELL,  
Secretary of Senate.

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